



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 16.09.2020

Coram::

The Honourable Dr.Justice G.Jayachandran

S.A.No.1317 of 2009

Chinnasalem Weavers Co-operative Society Limited,
E-1349, Repd by its Special Officer. ...Appellant/Plaintiff

/versus/

1. Chinnaponnu,
Wife of Vinayaga Mudaliar,
4th Street Sengunthar Street,
Chinnasalem, Kallakurichi Taluk.
2. Anbarasi,
W/o. Manickavasagam,
Harathi Pallikooda Santhu,
(Chidambaram Pillai Lane),
Cusba Kallakurichi, Kallakurichi Taluk.
3. Saranya,
Daughter of Manickavasagam,
Bharathi Pallikoods Santhu,
Chidambaram Pillai Lane,
Cusba Kallakurichi,
Kallakurichi Taluk. ... Respondents

Prayer: Second Appeal is filed under Section 100 of the Civil Procedure Code, praying against the judgment and decree in A.S.No.80/2005, on the file of Subordinate Judge, Kallakurichi and dated 23.01.2009 in confirming the judgment and decree in O.S.No.615 of 2000, on the file of I Additional District Munsif, Kallakurichi and dated 23.12.2004 is unjust, illegal.

For Appellant : Mr.V.Raghavachari
For Respondents: Mr.P.Valliappan

J U D G M E N T

(The case has been heard through video conference)

Heard the Learned Counsel for the appellant and the Learned Counsel for the respondents.

2. The Learned Counsel for the Appellant has filed memo which reads as below:-

"It is submitted that the case was listed on 24.07.2020. On hearing, it was reported the 1st respondent died on 26.12.2012 and matter was adjourned four weeks for taking steps. Immediately, we had sent a letter to the appellant for taking steps. Thereafter, on 25.08.2020 matter had come up for hearing and stood adjourned for three weeks for taking steps. The letter which was sent to appellant was returned to Appellant Counsel on 09.09.2020 as "unclaimed". Since, we received no instructions from the appellant the present memo is filed along with the returned letter.

I therefore prayed this Hon'ble Court may be pleased to record this memo and suitable orders may be passed thereon and thus render justice."

3. In view of the memo filed by the appellant, the Second Appeal is dismissed. No costs.

*** The Xerox Copy of the memo of compromise enclosed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bsm

To,

1. The Subordinate Judge, Kallakurichi
2. The I Additional District Munsif, Kallakurichi

Copy to

The Section Officer, V.R. Section, High Court, Madras.
+1cc to Mr.P.Valliappan, Advocate, sr no.30277
+1cc to Mr.V,Raghavachari, Advocate, sr no.30291

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SVI (CO)

RMP (10/12/2020)